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Counsel for Defendants
PACIFIC STATES INDUSTRIES, INC. and
NORTH CLOVERDALE BLVD., LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUSSIAN RIVERKEEPER,

Plaintiff,

vs.

PACIFIC STATES INDUSTRIES, INC.,
NORTH CLOVERDALE BLVD., LLC;

Defendants.

Case No. 3:07-cv-05393-JCS

PARTIES' JOINT STATUS REPORT

Conference Date: May 19, 2008
Time: 3:00 p.m.
Courtroom: Courtroom A, 15th Floor
Before: Hon. Marilyn Hall Patel

1 This Joint Status Report is submitted on behalf of Plaintiff Russian Riverkeeper
2 (“Riverkeeper” or “Plaintiff”) and Defendants Pacific States Industries, Inc. and North
3 Cloverdale Blvd., LLC (collectively “Defendants”).

4 **1. Procedural Status:**

5 The initial case management conference took place on February 25, 2008. The
6 Court set a further status conference for May 19, 2008 in order to allow the court-ordered
7 mediation to take place. Due to the parties’ schedule conflicts and the mediator’s schedule,
8 the mediation will not take place until May 16, 2008. The parties, therefore, are not in a
9 position to ascertain the likelihood of a settlement at this time, but will be able to more
10 fully report to the Court at the status conference on May 19th.

11 **2. Discovery Status:**

12 The case remains in its initial stages. Plaintiff has propounded interrogatories,
13 requests for admissions and documents. There have been numerous meet and confer
14 discussions and the parties appear to have resolved most outstanding issues. The parties
15 have also agreed to the circumstances under which a wet weather inspection may take
16 place; however, since the Court’s issuance of the February 25, 2008 minute order
17 concerning the wet inspections, very little rain has fallen at the Facility during working
18 hours

19 **3. Scheduling Issues:**

20 The Parties have focused on discovery issues and the scheduled mediation.

21 Defendants request the opportunity to submit a proposed scheduling order within 30
22 days following the case management conference in the event the mediation proves
23 unsuccessful. Defendants wish to have additional time to confer with Plaintiff on the issue
24 of whether a multi-step process or bifurcation process is the appropriate mechanism.

25 Plaintiff continues to believe that the discovery and trial schedule it proposed in the
26 February 15, 2008 Joint Status Report is appropriate.
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1 Dated: May 12, 2008

LAW OFFICES OF ANDREW L. PACKARD
LAWYERS FOR CLEAN WATER

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4 By: /s/ _____
5 Andrew L. Packard
6 Michael P. Lynes
7 Attorneys for Plaintiff
8 RUSSIAN RIVERKEEPER

9 Dated: May 12, 2008

STANZLER FUNDERBURK & CASTELLON LLP

10
11 By: /s/ _____
12 Ruben S. Castellon
13 Attorneys for Defendants
14 PACIFIC STATES INDUSTRIES, INC. AND
15 NORTH CLOVERDALE BLVD, LLC

16 * Mr. Castellon has approved the use of his electronic signature on this document.
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